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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/603,857	06/26/2000	William A. Skinner	FTI "AG"	4206

7590

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EXAMINER

BLOUNT, STEVEN

ART UNIT

PAPER NUMBER

2661

DATE MAILED: 11/04/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

091603,857

Applicant(s)

Skinner

Examiner

Blount

Group Art Unit

2664

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☒ Responsive to communication(s) filed on 8/13/02
- ☒ This action is FINAL.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 1 1; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-20 is/are pending in the application.
- Of the above claim(s) 9-20 is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-8 is/are rejected.
- ☒ Claim(s) 3 is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
- ☐ received in Application No. (Series Code/Serial Number) _____
- ☐ received in this national stage application from the International Bureau (PCT Rule 1 7.2(a)).

*Certified copies not received: _____

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☐ Interview Summary, PTO-413
- ☐ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other _____

Office Action Summary

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DETAILED ACTION

Claim Objections

1. Claim 3 is objected to because of the following informalities: in line 5, it appears that applicant meant to say "that is connected". Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. patent 4,699,212 to Andersson et al.

With regard to claim 1, Andersson et al teach a "bushing" inserted into work member 40 wherein the tubular center portion has first and second flanges in contact with the first and second sides of the work member, and further wherein the tubular portion is radially expanded in the cylindrical opening so as to make a tight interference fit within the opening.

With regard to claim 2, note the rejection above, and further note that the tubing is continuous, and the first and second flanges are radial members.

3. Claims 1 and 3-6 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. patent 2,700,172 to Rohe.

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With regard to claim 1, Rohe teaches a bushing with with tubular center portion 13/28 (see figure 2) and first and second radial flanges as shown.

With regard to claim 3, note that Rohe teaches first and second parts 14 and 16 in the workpiece 11 (see figure 2).

With regard to claim 4, note that parts 14 and 16 are contiguous

With regard to claim 5, the tubular members extend into and partially through the openings in the work members. See figure 2.

With regard to claim 6, the tubular members are coaxial and have outer surfaces that make a tight interference fit with the opening in the work member.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent 3,949,535 to King Jr.

With regard to claims 1-2, King, Jr. teaches the invention, including first and second radial flanges, but does not teach a complete flange on one of the ends (20). The fact that one of the ends (15) teaches a "complete" flange would have suggested the design modification of forming a second such flange on the other end, and it would have been obvious to one of

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ordinary skill in the art at the time of the invention in view of the noted design modification to have formed this second flange by enlarging the radius of the said second flange in order to provide a tight grip for the bushing in the workpiece.

6. Claims 7-8 are rejected under 35 U.S.C. 103(a) as being obvious over U.S. patent 2,700,172 to Rohe in view of U.S. patent 5,129,253 to Austin.

With regard to claims 7-8, Rohe teaches the invention as described above, but does not teach having a third tubular member surround the first and second tubular members. This is taught in Austin. See member H (figure 1). It would have been obvious to one of ordinary skill in the art at the time of the invention to have provided the first and second tubular members of Rohe with a surrounding third tubular member, in light of the teachings of Austin, in order to provide a means for securing the tubular members to the workpiece securely and in a manner that does not damage the tubular members. Note that the use of metals is taught in Rohe, and using metals for two of the members would make obvious the use of a third metal member.

Remarks

7. Applicant is once again requested to correct claim 3 (see the objection above). With regard to Andersson et al, the examiner does not find applicants arguments convincing, for the following reasons.

1) It is noted that while the second embodiment may disclose a metal lining comprising two parts, the first does not. See figure 3. The examiner believes that the phrase "The flanging is preferably made by pressure rolling and/or pressing" (see col 2,

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lines 36-40 as cited in applicants amendment) teaches a process in which there would inherently be a tight fit formed. Even applicant must concede that "pressure rolling", which is a process similar if not identical to that shown in figure 4 of USPN 4,482,089 to Lindahl et al, would require that one side of the bushing (ie, 41) be held in place while the other (ie, 42) is flanged or rolled into position. This would produce a tight fitting.

2) The examiner does not agree with applicants statement that the phrase "oversize opening 20" in Rohe prevents the grommet from making an interference fit. See column 5, lines 20+, and note the interference fit between members 14 and 16 that is said to be formed which would, by the process used to join them, result in an interference fit between the members and the material 11 as well. Finally, the fact that member 10 in figure 2 is deformed inwardly shows the stress that exists between overlapping membes 14 and 21. See also col 3, lines 22+, which state "...and with a moderate degree of pressure the inner tubular member 22 may be completely telescoped into the bore 23 of the outer tubular member 15, resulting in the very secure and lasting locking of the two tubular members relative to each other". The examiner notes that this "very secure and lasting locking" cannot exist independent of the opening in which these members are secured. (Rohe also teaches the materials to be soft. See col 3, lines 15+).

3) Applicants remark with regard to the rejection of claim 2, in view of King Jr., that King does not teach the (second) flange F to be an interference fit, is, in the

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examiners view, incorrect. First, the geometry at F does teach that the tubular member forms an interference fit at that point, so it probably in reality qualifies as a 102 rejection. However, as noted in the previous office action, "The fact that one of the ends (15) teaches a "complete" flange would have suggested the design modification of forming a second such flange on the other end...". Thus, applicants statement that the examiner has made the rejection "without producing a prior art teaching of this feature" is therefore incorrect. The examiner would like to finally note that with regard to shortness of the second flange in King (F in figure 9), USPN 5,129,253 to Austin is stated in the specification to "improve(s) on a forecemate process such as disclosed in U.S. Pat. No. 4,164,807" from which the King reference cited above is a divisional, and the Austin patent clearly shows in figure 1 a fully shaped flange wherein the tubular section is formed in a tight interference fit.

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Conclusion

8. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

9. Examiner Blount may be contacted at the Patent Office between the hours of 9:00 am to 5:30 P.M. Monday through Friday. His phone number is (703) 305-0319.



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SK
10/28/02